

HOUSE BILL 11

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HB 14/03 - W&M

2004 Regular Session
4r0236

(PRE-FILED)

By: **Delegates Leopold, Hubbard, V. Clagett, King, Boschert, Sophocleus,
and Cardin**

Requested: July 7, 2003

Introduced and read first time: January 14, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Polling Places - Access by Children Accompanying Voters**

3 FOR the purpose of altering the maximum age at which a child may accompany a
4 voter in a voting room and voting booth at a polling place under certain
5 circumstances; and making stylistic changes.

6 BY repealing and reenacting, with amendments,
7 Article - Election Law
8 Section 10-308 and 10-310(c)
9 Annotated Code of Maryland
10 (2003 Volume and 2003 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Election Law**

14 10-308.

15 An election judge shall allow the following individuals to have access to the
16 voting room at a polling place:

17 (1) a voter;

18 (2) an individual who accompanies a voter in need of assistance in
19 accordance with § 10-310(c) of this subtitle;

20 (3) polling place staff;

21 (4) a member or other representative of the State Board or local board;

22 (5) an accredited watcher or challenger under § 10-311 of this subtitle;

1 (6) a child under the age of [11] 14 who accompanies a voter in
2 accordance with § 10-310(c) of this subtitle; and

3 (7) any other individual authorized by the State Board or local board.
4 10-310.

5 (c) (1) Before a voter enters a voting booth, at the request of the voter, an
6 election judge shall:

7 (i) instruct the voter about the operation of the voting system; and

8 (ii) allow the voter an opportunity to operate a model voting device,
9 if appropriate to the voting system in use.

10 (2) (i) 1. After a voter enters the voting booth, at the request of the
11 voter, two election judges representing different political parties shall instruct the
12 voter on the operation of the voting device.

13 2. An election judge may not suggest in any way how the
14 voter should vote for a particular ticket, candidate, or position on a question.

15 3. After instructing the voter, the election judges shall exit
16 the voting booth and allow the voter to vote privately.

17 (ii) A voter may take into the polling place any written or printed
18 material to assist the voter in marking or preparing the ballot.

19 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a
20 voter who requires assistance in marking or preparing the ballot because of a physical
21 disability or an inability to read the English language may choose any individual to
22 assist the voter.

23 (ii) A voter may not choose the voter's employer or agent of that
24 employer or an officer or agent of the voter's union to assist the voter in marking the
25 ballot.

26 (4) If the voter requires the assistance of another in voting, but declines
27 to select an individual to assist, an election judge, in the presence of another election
28 judge that represents another political party, shall assist the voter in the manner
29 prescribed by the voter.

30 (5) An individual assisting a voter may not suggest in any way how the
31 voter should vote for a particular ticket, candidate, or position on a question.

32 (6) If a voter requires assistance under [paragraphs] PARAGRAPH (4) or
33 (5) of this subsection, the election judge shall record, on a form prescribed by the State
34 Board, the name of the voter who required assistance and the name of the individual
35 providing assistance to the voter.

1 (7) Except as provided in [paragraphs] PARAGRAPH (3) or (4) of this
2 subsection, a person over the age of [10] 13 years may not accompany a voter into a
3 voting booth.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect July 1, 2004.